

Request for Reconsideration
U.S. Patent Application No. 10/671,631

REMARKS

Claims 1 – 17 are pending in the subject application: claims 1 – 14 stand rejected, and claims 15 – 17 are allowed. Applicant would like to thank the Examiner for indicating the allowance of claims 15-17 and for the recent telephone discussions relating to the rejections of claims 1 and 13. The Examiner generally agreed by telephone that Shand et al. (U.S. Patent No. 4,754,266) does not teach each feature of either claim 1 or claim 13; thus, the currently outstanding rejections relying on Shand would be reconsidered upon submission of this written response.

The Examiner indicated, however, that because Bligh (U.S. Patent No. 6,646,545) teaches a central system controlling running lights, Bligh would be reconsidered for possible applicability to claims 1 and 13. Consequently, the remarks below respond both to the outstanding rejections as well as to the inapplicability of Bligh to previously presented claims 1 and 13.

Claims 1, 3 and 11-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shand et al. (4,754,266). Further, claims 2, 4-9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shand in view of Bligh (6,646,545) and claims 10 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shand in view of Lehman et al. (6,150,943). Applicant respectfully traverses these rejections.

Claim 1 sets forth a method of signaling the direction of an escape route to be taken in an emergency in a building with emergency warning units that are arranged in a distributed manner and connected to a central emergency warning system. The method requires activating luminous means of the individual emergency warning units sequentially in the manner of a running light by the central emergency warning system in an emergency, which running light designates the escape route leading away from a hazard site. Claim 13 recites a system with similar requirements.

Shand does not teach or suggest a central emergency warning system that communicates with multiple individual warning units to activate them sequentially in the manner of a running light. Rather, Shand discloses “a traffic director unit” (Col. 3, ln. 38 and Figure 4). The “traffic

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director unit” has visual output 50 that “comprises timing circuit 52, which staggers the electrical signal to front panel arrow lights 54 so that the lights are illuminated in sequential order and the lighted arrow that is displayed appears to “move” in the direction that it is pointed” (Col 3., lns. 52-56). Shand, therefore merely discloses sequential lighting within one individual unit. Furthermore, the Office Action (pg. 2, ln. 20) points to Figure 4 as teaching a central bus that communicates with multiple individual units. However, Shand discloses a “system bus 40” within a single “traffic director unit” communicating only with components within that same “traffic director unit”. In short, Shand does not disclose a central emergency warning system, much less coordinating distributed warning units via a central system in a sequential manner to create a running light. Since Shand fails to teach activating the luminous means of the individual emergency warning units sequentially in the manner of a running light and also fail to teach doing so by the central emergency warning system, claim 1 and dependent claims 3 and 11-13 are patentable over Shand. Furthermore, since claim 13 recites similar language, claim 13 and its dependent claim 14 should also be allowable over Shand. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 3 and 11-13.

Bligh does not teach or suggest both a hazard sensor and luminous means in an individual emergency warning unit, as required by claim 1. Rather, Bligh discloses an evacuation signaling system comprising floor-mounted display units that are completely separate from a hazard detection or sensor system. As shown in Fig. 10 of Bligh, the LED display units 4 of the signaling system are connected to and controlled by a power supply/microprocessor 10. As explained at col. 4, lines 47-50, microprocessor 10 receives data from a structure’s network of smoke/heat/CO₂/CO or related detectors via input connection 15. Further, the passage at col. 5, lines 56-67, makes it perfectly clear that Bligh’s signaling system is distinct from the network of detectors. Thus, Bligh discloses that the display system is separate from the detector system. This separate arrangement is not surprising in Bligh’s scheme, since sensors/detectors are generally mounted higher on walls or on ceilings, and Bligh expressly teaches that the described signaling system is advantageous because the display units are floor-mounted rather than wall-mounted or ceiling-mounted (see, e.g., col. 1, line 30 – 35; col. 5, line 55 – col. 6, line 4).

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Moreover, there is no motivation to combine Shand and Bligh to reach the claimed features. Shand teaches an individual unit with a sensor and a luminous means. However, Shand does not teach the luminous means of multiple units sequenced in the manner of a running light. Bligh teaches running light sequencing, but does not teach an individual unit having a sensor and a luminous means. Shand's arrows and sequenced LEDs within each arrow already teach means for indicating a direction of escape. Therefore, because Shand already teaches a direction system, there would be no reason to redesign Shand's system by adding a central system communicator and also by causing the central system to direct individual units toward a direction of escape in the manner of a running light. Such a redesign would clearly require impermissible hindsight. In addition, there is clearly no motivation to modify Bligh to include individual units with a sensor and a luminous means. Bligh clearly teaches "LEDs housed in a series of narrow strip assembly units" (Col. 1, lns. 9 and 10) that are separate from Bligh's sensors. Redesigning Bligh therefore to include sensors in the same individual unit as the LED strips would require impermissible hindsight.

Since both Shand and Bligh fail to disclose or suggest, separately or in combination, a method involving equipping individual emergency warning units with a sensor for detecting a hazard condition and luminous means, wherein the luminous means can be activated to operate in the manner of a running light, claim 1 and dependent claims 2, 4-9 and 11 should be patentable over the combination of Shand and Bligh. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 2, 4-9 and 11.

The Examiner further relies on Lehman to reject dependent claims 10 and 14. Lehman is relied upon for a teaching of a manual, wall-mounted unit for directing evacuees to exits. However, like Shand, Lehman fails to disclose or suggest a method involving equipping individual emergency warning units with a sensor for detecting a hazard condition and luminous means, wherein the luminous means of the individual emergency warning units can be activated by a central system to operate in the manner of a running light, as required by parent claims 1 and 13. Consequently, parent claims 1 and 13 and dependent claims 10 and 14 would not have been (and could not have been) obvious from any combination of Shand and Lehman.


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Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 10 and 14.

In view of the foregoing, Applicant respectfully requests the Examiner to find the application to be in condition for allowance with claims 1-17. However, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 05-0460.

Respectfully submitted,



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Hand Delivered on: September 15, 2005